

## OFFICIAL



## GAZETTE

## GOVERNMENT OF GOA

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Law (Legal and Legislative Affairs) Department

## Notification

10-3-88/LA

The Appropriation (Railways) Act, 1988 (Act No. 15 of 1988) which was Passed by Parliament and assented to by the President of India on 30-3-1988 and published in the Gazette of India, Extraordinary, Part II, Section 1, dated 30-3-1988 is hereby re-published for general information of the public.

P. V. Kadnekar, Under Secretary (Drafting).

Panaji, 6th October, 1988.

## The Appropriation (Railways) Act, 1988

AN

ACT

*to authorise payment and appropriation of certain sums from and out of the Consolidated Fund of India for the services of the financial year 1988-89 for the purposes of Railways.*

Be it enacted by Parliament in the Thirty-ninth Year of the Republic of India as follows: —

1. *Short title.* — This Act may be called the Appropriation (Railways) Act, 1988.

2. *Issue of Rs. 16837,12,24,000 out of the Consolidated Fund of India for the financial year 1988-89.* — From and out of the Consolidated Fund of India there may be paid and applied sums not exceeding those specified in column 3 of the Schedule amounting in the aggregate to the sum of rupees sixteen thousand eight hundred and thirty-seven crores, twelve lakhs and twenty-four thousand rupees towards defraying the several charges which will come in course of payment during the financial year 1988-89, in respect of the services relating to Railways specified in column 2 of the Schedule.

3. *Appropriation.* — The sums authorised to be paid and applied from and out of the Consolidated Fund of India by this Act shall be appropriated for the services and purposes expressed in the Schedule in relation to the said year.

## THE SCHEDULE

(See sections 2 and 3)

1 No. of vote	2 Services and purposes	3 Sums not exceeding		
		Voted by Parliament	Charged on the Consolidated Fund	Total
		Rs.	Rs.	Rs.
1	Railway Board	8,53,66,000	..	8,53,66,000
2	Miscellaneous Expenditure (General)	55,51,06,000	..	55,51,06,000
3	General Superintendence and Services on Railways	398,66,18,000	2,42,000	398,68,60,000
4	Repairs and Maintenance of Permanent Way and Works	820,42,91,000	2,10,000	820,45,01,000
5	Repairs and Maintenance of Motive Power	658,29,66,000	83,000	658,30,49,000
6	Repairs and Maintenance of Carriages and Wagons	869,41,16,000	2,55,000	869,43,71,000
7	Repairs and Maintenance of Plant and Equipment	442,59,07,000	2,00,000	442,61,07,000
8	Operating Expenses — Rolling Stock and Equipment	702,37,20,000	2,00,000	702,39,20,000
9	Operating Expenses — Traffic	926,46,11,000	3,25,000	926,49,36,000
10	Operating Expenses — Fuel	1328,52,27,000	90,000	1328,53,17,000
11	Staff Welfare and Amenities	287,28,46,000	67,000	287,29,13,000
12	Miscellaneous Working Expenses	429,91,01,000	8,96,60,000	438,87,61,000

1	2	3		
13	Provident Fund, Pension and other Retirement Benefits	575,43,88,000	4,48,96,000	579,92,84,000
14	Appropriation to Funds ... ..	2149,00,00,000	..	2149,00,00,000
15	General Dividend to General Revenues, Repayment of Loan taken from General Revenues and Amortization of Over Capitalisation ... ..	778,94,40,000	...	778,94,40,000
16	Assets -- Acquisition, Construction and Replacement --			
	Revenue ... ..	39,99,50,000	50,000	40,00,00,000
	Other Expenditure			
	Capital ... ..	4561,98,53,000	4,49,50,000	4566,48,03,000
	Railway Funds ... ..	1785,49,90,000	15,00,000	1785,64,90,000
	Total ... ..	16818,84,96,000	18,27,28,000	16837,12,24,000

### Notification

10-3-88/LA

The Appropriation (Railways) No. 2 Act, 1988 (Act No. 16 of 1988) which was passed by Parliament and assented to by the President of India on 30-3-1988 and published in the Gazette of India, Extraordinary, Part II, Section 1, dated 30-3-1988 is hereby re-published for general information of the public.

P. V. Kadnekar, Under Secretary (Drafting).

Panaji, 6th October, 1988.

### The Appropriation (Railways) No. 2 Act, 1988

AN

ACT

*to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of India for the services of the financial year 1987-88 for the purposes of Railways.*

Be it enacted by Parliament in the Thirty-ninth Year of the Republic of India as follows:—

1. *Short title.*—This Act may be called the Appropriation (Railways) No. 2 Act, 1988.

2. *Issue of Rs. 487,53,30,000 out of the Consolidated Fund of India for the financial year 1987-88.*—From and out of the Consolidated Fund of India there may be paid and applied sums not exceeding those specified in column 3 of the Schedule amounting in the aggregate to the sum of four hundred and eighty-seven crores, fifty-three lakhs and thirty thousand rupees towards defraying the several charges which will come in course of payment during the financial year 1987-88, in respect of the services relating to Railways specified in column 2 of the Schedule.

3. *Appropriation.*—The sums authorised to be paid and applied from and out of the Consolidated Fund of India by this Act shall be appropriated for the services and purposes expressed in the Schedule in relation to the said year.

### THE SCHEDULE

(See sections 2 and 3)

1	2	3		
No. of vote	Services and purposes	Sums not exceeding		
		Voted by Parliament	Charged on the Consolidated Fund	Total
		Rs.	Rs.	Rs.
1	Railway Board	46,21,000	...	46,21,000
3	General Superintendence and Services on Railways	29,54,75,000	2,76,000	29,57,51,000
4	Repairs and Maintenance of Permanent Way and Works	52,78,01,000	4,68,000	52,82,69,000
5	Repairs and Maintenance of Motive Power	8,07,10,000	23,000	8,07,33,000
6	Repairs and Maintenance of Carriages and Wagons	8,27,86,000	..	8,27,86,000
7	Repairs and Maintenance of Plant and Equipment	21,00,16,000	..	21,00,16,000
8	Operating Expenses — Rolling Stock and Equipment	64,50,85,000	4,85,000	64,55,70,000
9	Operating Expenses — Traffic	62,07,80,000	2,38,000	62,10,18,000
10	Operating Expenses — Fuel	30,61,49,000	..	30,61,49,000
11	Staff Welfare and Amenities	18,17,11,000	..	18,17,11,000

1	2	3	
12	Miscellaneous Working Expenses ... ..	39,05,61,000	39,05,61,000
13	Provident Fund, Pension and other Retirement Benefits	142,31,76,000	2,47,33,000 144,79,09,000
14	Appropriation to Funds ... ..	4,60,00,000	4,60,00,000
16	Assets — Acquisition, Construction and Replacement —		
	Revenue ... ..	2,05,86,000	2,05,86,000
	Other Expenditure		
	Capital ... ..	3,000	1,36,42,000 1,36,45,000
	Railway Funds ... ..	5,000	5,000
	Total ... ..	483,54,65,000	3,98,65,000 487,53,30,000

### Notification

10-3-88/LA (Part)

The Religious Institutions (Prevention of Misuse) Act, 1988 (Central Act 41 of 1988) which was passed by Parliament and assented to by the President of India on 1-9-1988 and published in the Gazette of India, Extraordinary, Part II, Section 1, dated 2-9-1988 is hereby republished for the general information of the Public.

P. V. Kadnekar, Under Secretary (Drafting).

Panaji, 10th November, 1988.

### MINISTRY OF LAW AND JUSTICE

(Legislative Department)

New Delhi, the 2nd September, 1988/

Bhadra 11, 1910 (Saka)

The following Act of Parliament received the assent of the President on the 1st September, 1988, and is hereby published for general information: —

### The Religious Institutions (Prevention of Misuse) Act, 1988

No. 41 of 1988

[1st September, 1988.]

An Act to prevent the misuse of religious institutions for political and other purposes

Be it enacted by Parliament in the Thirty-ninth Year of the Republic of India as follows: —

1. *Short title, extent and commencement.* — (1) This Act may be called the Religious Institutions (Prevention of Misuse) Act, 1988.

(2) It extends to the whole of India except the State of Jammu and Kashmir.

(3) It shall be deemed to have come into force on the 26th day of May, 1988.

2. *Definitions.* — In this Act, unless the context otherwise requires, —

(a) "ammunition" shall have the same meaning as in clause (b) of sub-

-section (1) of section 2 of the Arms Act, 1959;

54 of 1959.

(b) "arms" shall have the same meaning as in clause (c) of sub-section (1) of section 2 of the Arms Act, 1959;

54 of 1959.

(c) "manager", in relation to a religious institution, means every person, including any religious functionary (by whatever name called), who, for the time being, either alone or in association with other persons, administers, manages or otherwise controls the affairs of that institution, its functions or properties;

(d) "political activity" includes any activity promoting or propagating the aims or objects of a political party or any cause, issue or question of a political nature by organising meetings, demonstrations, processions, collection or disbursements of funds, or by the issue of directions or decrees, or by any other means, and includes also such activity by or on behalf of a person seeking election as a candidate for any election to Parliament, any State Legislature or any local authority;

(e) "political party" means an association or body of persons —

(i) which is, or is deemed to be, registered, with the Election Commission of India as a political party under the Election Symbols (Reservation and Allotment) Order, 1968, as in force for the time being; or

(ii) which has set up candidates for election to any legislature, but is not registered, or deemed to be registered, as a political party, under the Election Symbols (Reservation and Allotment) Order, 1968; or

(iii) organised to carry on any political activity or to acquire or exercise political power through election or otherwise;

(f) "religious institution" means an institution for the promotion of any religion or persuasion, and includes any place or premises used as a place of public religious worship, by whatever name or designation known.

3. *Prohibition of use of religious institutions for certain purposes.* — No religious institution or manager thereof shall use or allow the use of any

premises belonging to, or under the control of, the institution —

- (a) for the promotion or propagation of any political activity; or
- (b) for the harbouring of any person accused or convicted of an offence under any law for the time being in force; or
- (c) for the storing of any arms or ammunition; or
- (d) for keeping any goods or articles in contravention of any law for the time being in force; or
- (e) for erecting or putting up of any construction or fortification, including basements, bunkers, towers or walls without a valid licence or permission under any law for the time being in force; or
- (f) for the carrying on of any unlawful or subversive act prohibited under any law for the time being in force or in contravention of any order made by any court; or
- (g) for the doing of any act which promotes or attempts to promote disharmony or feelings of enmity, hatred or ill-will between different religious, racial, language or regional groups or castes or communities; or
- (h) for the carrying on of any activity prejudicial to the sovereignty, unity and integrity of India; or
- (i) for the doing of any act in contravention of the provisions of the Prevention of Insults to National Honour Act, 1971.

69 of 1971

4. *Restrictions on carrying arms and ammunition into a religious institution.* — No religious institution or manager thereof shall allow the entry of any arms or ammunition or of any person carrying any arms or ammunition into the religious institution:

Provided that nothing in this section shall apply to —

- (a) the wearing and carrying of a *kirpan* by any person professing the Sikh religion; or
- (b) any arms which are used as part of any religious ceremony or ritual of the institution as established by custom or usage.

5. *Prohibition of use of funds of religious institutions for certain activities.* — No religious institution or manager thereof shall use or allow the use of any funds or other properties belonging to, or under the control of, the institution for the benefit of any political party or for the purpose of any political activity or for the commission of any act which is punishable as an offence under any law.

6. *Prohibition of religious fora for propagating political ideas.* — No religious institution or manager thereof shall allow any ceremony, festival,

congregation, procession or assembly organised or held under its auspices to be used for any political activity.

7. *Penalties.* — Where any religious institution or manager thereof contravenes the provisions of section 3, section 4, section 5 or section 6, the manager and every person connected with such contravention shall be punishable with imprisonment for a term which may extend to five years and with fine which may extend to ten thousand rupees.

8. *Disqualification of persons convicted or charge-sheeted under this Act.* — (1) Any manager or other employee of a religious institution shall, upon conviction for an offence under this Act, stand removed from his office or post and shall, notwithstanding anything to the contrary contained in any other law, be disqualified for appointment in any religious institution as manager or in any other capacity for a period of six years from the date of his conviction.

(2) Where any manager or other employee of a religious institution is accused of an offence under this Act and a charge-sheet for the prosecution of such person is filed in any court and the court is of the opinion, after considering the charge-sheet and after hearing the prosecution and the accused, that *prima facie* case exists, it shall pass an order or direction restraining the person from exercising the powers or discharging the duties of his office or post pending trial.

(3) Where any manager or other employee has been removed under sub-section (1), or restrained under sub-section (2), the vacancy arising out of such removal or restraint may be filled in the manner provided in the law applicable to the said religious institution.

9. *Certain persons bound to give information to police.* — Every manager or other employee of a religious institution shall be bound to give information to the officer incharge of the police station within whose local jurisdiction the religious institution is situate of any contravention or any impending contravention of the provisions of this Act and any failure to do so shall be punishable under section 176 of the Indian Penal Code.

45 of 1860.

10. *Repeal and saving.* — (1) The Religious Institutions (Prevention of Misuse) Ordinance, 1988 is hereby repealed.

Ord.

3 of 1988

(2) Notwithstanding such repeal, anything done or any action taken under the said Ordinance shall be deemed to have been done or taken under the corresponding provisions of this Act.

S. RAMAIAH,

Secy. to the Govt. of India.